

Town Board Minutes
January 21, 2003
Meeting No. 4

A Special Joint Meeting of the Town Board of the Town of Lancaster with the Village of Depew Board was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 21st day of January 2003 at 7:00 P.M. and there were

PRESENT: MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR
JOHN FRAGALE, TRUSTEE
WILLIAM MARYNIEWSKI, TRUSTEE
TERRENCE MESCAL, TRUSTEE
NICHOLAS SHERWOOD, TRUSTEE
JOSEPH MCINTOSH, MAYOR

ABSENT: RICHARD ZARBO, COUNCIL MEMBER
DAVID MAZUR, TRUSTEE
CHARLES SEILER, TRUSTEE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR
GARY STOLDT, CHIEF OF POLICE CHRISTINE FUSCO,
ASSESSOR
RICHARD REESE JR., HIGHWAY SUPERINTENDENT
ROBERT KUCEWICZ, VILLAGE ADMINISTRATOR
SUZANNE BLANK, CLERK TYPIST

PURPOSE OF MEETING:

This joint meeting of the Town Board of the Town of Lancaster and the Village Board of the Village of Depew was held for the purpose of conducting a Joint Public Hearing on the petition of Matthew W. Filipowicz to annex to the Village of Depew real property situate within the Town of Lancaster, to wit: a parcel of approximately 7.89 acres \pm of vacant land situate on the north side of Columbia Avenue, east of the boundary line of the Village of Depew within the Town of Lancaster.

PUBLIC HEARING SCHEDULED FOR 7:00 P.M.:

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

The following persons gave a brief overview of the proposed annexation and proposed project:

Richard Sherwood, Lancaster Town Attorney, explained to the Boards the legal procedure involved in the annexation of real property. If one of the governing Boards denies the annexation request of the petitioner and the other governing Board approves the annexation, the petitioner may in concert with the Board which approved the annexation take the matter to the New York State Supreme Court. The New York State Supreme Court will then render a determination on the matter of the annexation.

Joseph McIntosh, Mayor, Village of Depew, informed the public that there are 21± acres of land; 7± acres are in the Town outside the Village of Depew and 14± acres situated within the Village of Depew. It is his understanding that Forbes Homes proposes to construct approximately 50 homes on the site.

Eliot Lasky, Developer for Forbes Homes, stated that a wetland study has been performed. The proposal will be for the construction of approximately 50 single family homes on lots with 70' to 75' frontage in the price range of \$160,000 to \$220,000. The sanitary sewer connection will be on Columbia Avenue, not on Kennedy Court. These will be low density, single family, high end homes. The purchase contract is contingent on the real property annexation. He is willing to stipulate to the construction of single family, low density homes.

The following persons spoke on the project:

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Ron Maciejewski, Depew Fire Chief Requests that Depew be fire protection provider.	182 Olmstead Avenue	Comments
Dave Steinel Concerns about drainage, crowded schools and traffic.	214 Belmont Avenue	Opponent
Rich Wlosinski Concerns about drainage, schools, traffic and property taxes.	26 Pheasant Run Lane	Opponent
Donald Symer Proposed change will not benefit Town & Village residents. Concerns about petitioner’s relationship to Depew Building Official; concerns about drainage, traffic, noise and decreased water pressure.	610 Columbia Avenue	Opponent
Gary Howell Project does not benefit either community. Bowmansville Volunteer Fire Company does not support this request. Cost to support the homes will be greater than Town of Lancaster revenues increase. Expressed concerns about traffic & flooding. Alleges there is a relationship of heirs of the estate to employees of Village of Depew.	48 Park Blvd	Opponent
Dan Beutler Concerns about wetlands. Feels it is good for Village of Depew to build 50+ homes but has some concerns.	26 Tyler Street	Proponent
Ray Wienckowski	627 Columbia Avenue	Opponent
Joe Cipolla	35 Hillside Pkwy	Proponent

Don Reding	16 Kennedy Court	Opponent
Jim Streicher	51 Kennedy Court	Opponent
Lawrence Labinski	55 Kennedy Court	Opponent
John Pasquariello	32 Kennedy Court	Opponent
Questioned the number of outlets and expressed drainage concerns.		
Jerry Gangloff	28 Kennedy Court	Comments
Expressed concerns about traffic.		
Edward Zack	40 Pheasant Run Lane	Opponent
Questions about the storm water runoff from proposed development to detention pond behind Pheasant Run Lane.		
Ellen Hardy	41 Madison Street	Proponent
Shirley Smith	20 Pheasant Run Lane	Opponent
Expressed concerns about traffic, drainage, trees behind her home and school overcrowding.		
Steve Filipowicz, petitioner	2518 Lake Rd, Hilton, New York	Proponent
Wants to thank both Boards for their consideration.		
Conrad Keryling	48 Kennedy Court	Opponent
Town will have no control over what happens with schools, traffic, and drainage for the residents of Town outside of Village. Because the Town of Lancaster will provide ingress & egress through Town roads, the Town should control the subdivision.		
Lee Chowaniec	93 Northwood Drive	Comments
Sees no benefit to Town or to residents. Wants a definitive site plan prior to annexation.		
Jim Brett	659 Harris Hill Road	Comments
Questions about sanitary sewer district & water lines. Concerns about water pressure.		
David Hanitz	7 Schilling Court	Opponent
Concerns about school crowding.		
Edward Kulpa	12 Ravenwood Drive	Questions
Concerns about response time of fire department.		
Mary Ann Gangloff	28 Kennedy Court	Opponent
Wants to know what criteria the Town Board will use to make their determination.		
George Beyer	604 Columbia Avenue	Comments
Questions about berms on rear of lots. Concerns about his privacy and water pressure.		

ON MOTION BY COUNCIL MEMBER MONTOUR, AND
SECONDED BY TRUSTEE NICHOLAS SHERWOOD, TO CLOSE THE PUBLIC
HEARING, on roll, which resulted as follows:

COUNCIL MEMBER MARK MONTOUR	VOTED YES
COUNCIL MEMBER RONALD RUFFINO	VOTED YES
COUNCIL MEMBER DONNA STEMPIAK	VOTED YES
COUNCIL MEMBER RICHARD ZARBO	WAS ABSENT
SUPERVISOR ROBERT GIZA	VOTED YES
TRUSTEE JOHN FRAGALE	VOTED YES
TRUSTEE WILLIAM MARYNIEWSKI	VOTED YES
TRUSTEE DAVID MAZUR	WAS ABSENT
TRUSTEE TERRENCE MESCAL	VOTED YES
TRUSTEE CHARLES SEILER	WAS ABSENT
TRUSTEE NICHOLAS SHERWOOD	VOTED YES
MAYOR JOSEPH MCINTOSH	VOTED YES

The Public Hearing was closed at 8:22 P.M.

January 21, 2003

Signed _____
Johanna M. Coleman, Town Clerk